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Attorneys for Plaintiff Melinda James,
individually and on behalf of all similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE

Melinda James individually and on behalf
of all similarly situated,

Plaintiff,

vs.

Coolsys Commercial & Industrial Solutions,
Inc.; Source Refrigeration & HVAC, Inc.;
and Does 1-10, Inclusive,

Defendants.

Case No.: 30-2020-01163014-CU-OE-CXC

Hon. Peter Wilson - Dept. CX-102

**DECLARATION OF MELINDA JAMES
IN SUPPORT OF PLAINTIFF'S
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

[Motion, Report re: Compliance with Court
Guidelines; Declaration of Jonathan M. Lebe;
and [Proposed] Order Filed Herewith]

Hearing Information:

Date: August 5, 2021

Time: 10:00 a.m.

Location: Dept. CX-102

DECLARATION OF MELINDA JAMES

I, Melinda James, declare as follows:

1. I am the Named Plaintiff/Class Representative in the above-captioned lawsuit. I have personal knowledge of all the facts stated herein. As such, I could and would competently testify to these facts in court, under oath, if requested to do so.

2. I worked for Defendant Coolsys Commercial & Industrial Solutions, Inc., formerly known as Source Refrigeration & HVAC, Inc. (“Defendant”) from approximately December 16, 2019 to approximately March 11, 2020, as an Accounts Payable Manager. I suffered from various wage and hour violations during my employment with Defendant. Specifically, I and other employees of Defendant were not paid for all our hours worked based on Defendant’s unlawful rounding and time manipulation, Defendant’s failure to pay all reporting time pay, Defendant’s failure to provide meal and rest breaks, and Defendant’s failure to pay all final wages.

3. I was informed that if I were to file this matter as a class action, I would be acting on behalf of not just myself, but also all other employees of Defendant who also were subjected to these same wage and hour violations. I understood that any class action lawsuit could take several years to complete and would require my commitment and services throughout. I also understood that had I acted for myself alone, I may have had a speedier outcome had I proceeded with a claim through the Labor Commissioner's office.

7. On October 1, 2020, my attorneys filed this case on behalf of all hourly and/or non-exempt aggrieved employees in California employed by Defendant.

8. As representative for hourly or non-exempt employees working for Defendant, I was informed I could be held responsible for Defendant's legal costs if the case were to be lost, with a judgment for legal fees and costs entered against me. Even though my attorneys indicated they would assume responsibility for payment of any judgment taken against me, the judgment would still be filed in my name and searchable through the various internet search vehicles, such as Google and court databases.

11. I was unable to attend the mediation which eventually led to the proposed

1 settlement on January 26, 2021 but actively helped my attorneys prepare for it. In preparing for
2 this mediation, I actively helped my attorneys Mr. Lebe and Ms. Loera prepare for the mediation,
3 including numerous and lengthy phone calls regarding my experiences working for Defendant.
4 During the mediation, my attorneys informed me that Defendant was open to settling on a class
5 wide basis, which would mean I would be representing the class. Sometime after the agreement
6 to settle, my attorneys sent the agreement for me to review and sign. I understood the settlement
7 process involved mailing a notice to all members of the Class telling them about the settlement
8 and receive a payment for the wage and hour violations they suffered.

9 12. I have taken my duties and responsibilities as a Class Representative seriously by
10 doing all of those things mentioned above and staying in touch with my attorneys during this case.
11 I believe this was a good settlement for my fellow class members. They are receiving money they
12 would not have otherwise had if I had not filed this case and done all of this work. I take great
13 pride in that.

14 13. My request for the \$5,000 service payment is fair because I: a) initiated this lawsuit;
15 b) worked hard to apprise my attorneys regarding my claims; c) stayed in touch with my attorneys
16 throughout the entire case; d) answered questions asked of me by my attorneys; e) risked paying
17 legal costs if we lost the case; f) risked stigma for filing a class action lawsuit and potential negative
18 impact on job opportunities; g) reviewed and signed the settlement agreement; and h) spent
19 substantial time spent both before and after this case was filed through the present time.

20 I declare under penalty of perjury of the laws of the State of California that the foregoing
21 is true and correct and that this declaration is executed on 7/13/2021 in
22 Los Angeles, California.

23
24 DocuSigned by:
25 Melinda James
26 Melinda James
27
28